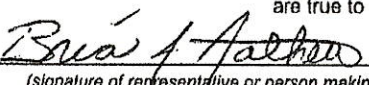


UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
**CHARGE AGAINST LABOR ORGANIZATION
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case 19-CB-277688	Date Filed 5/26/2021

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name SEIU Healthcare 1199NW		b. Union Representative to contact Sabrina Kimm	
c. Address (Street, city, state, and ZIP code) Sabrina Kimm 15 S. Grady Way, #200 Renton, WA 98057		d. Tel. No. 425-917-1199	e. Cell No. 509-981-3570
		f. Fax No. 425-917-9707	
		g. e-mail sabrak@seiu1199nw.org	
h. The above-named labor organization has engaged in and is engaging in unfair labor practices within the meaning of section 8(b) and (list subsections) (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) See attached.			
3. Name of Employer Logan Health (f/k/a Kalispell Regional Healthcare)		4a. Tel. No. 406-751-7133	b. Cell No.
		c. Fax No.	
		d. e-mail bmathews@logan.org	
5. Location of plant involved (street, city, state and ZIP code) Logan Health 310 Sunnyview Lane Kalispell, MT 59901		6. Employer representative to contact Brian Mathews Executive Director Human Resources & Labor Relations	
7. Type of establishment (factory, mine, wholesaler, etc.) Hospital and clinics	8. Identify principal product or service Healthcare	9. Number of workers employed over 1,000	
10. Full name of party filing charge Logan Health			
11. Address of party filing charge (street, city, state and ZIP code) same as #5		11a. Tel. No. same as #4	b. Cell No.
		c. Fax No.	
		d. e-mail same as #4	
12. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.  (signature of representative or person making charge)		Tel. No. 406-751-7133	
Brian Mathews, Executive Director (Print/type name and title or office, if any)		Cell No.	
310 Sunnyview Lane, Kalispell, MT 59901 Address		Fax No.	
Date May 26, 2021		e-mail bmathews@logan.org	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

Basis of the Charge (filed against SEIU Healthcare 1199NW)

Within the last six months, the Union has engaged in bad faith bargaining with the Employer. The Union's conduct both at the bargaining table and away from the bargaining table demonstrates its bad faith in bargaining, as the Union has: been slow to set bargaining dates and refused the Employer's offers to meet; wasted time in bargaining sessions by not being ready to bargain at the mutually agreed upon time and made the Employer's representatives wait, sometimes for hours, before the Union's negotiating team was ready to meet; refused to consider moving from its initial proposals; provided false, misleading, and inflammatory information to the bargaining unit members the Union represents about the proposals made by the Employer in negotiating sessions in an effort to frustrate the bargaining process and intentionally mislead nurses about the status of negotiations while seeking to blame the Employer for the Union's intransigence and lack of progress; and made regressive bargaining proposals, particularly concerning wages and benefits, on multiple occasions, most recently in a bargaining session on May 25, 2021. The totality of the circumstances demonstrates the Union is not interested in bargaining in good faith or attempting to reach an agreement with the Employer. Instead, the Union's bad faith bargaining tactics directed at the Employer and the Union's false and misleading statements to bargaining unit nurses about the Employer's proposals and status of negotiations show the Union is more interested in attempting to drum up support among the nurses for a strike against the Employer rather than represent nurses and bargain in good faith to reach an agreement.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 19
915 2nd Ave Ste 2948
Seattle, WA 98174-1006

Agency Website: www.nlrb.gov
Telephone: (206)220-6300
Fax: (206)220-6305



Download
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May 26, 2021

Sabrina Kimm, Director
SEIU Healthcare 1199NW
15 S Grady Way, Suite 200
Renton, WA 98057-3239

Re: SEIU Healthcare 1199NW (Logan Health
(f/k/a Kalispell Regional Hospital))
Case 19-CB-277688

Dear Ms. Kimm:

Enclosed is a copy of a charge that has been filed in this case. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Sarah K. Burke whose telephone number is (206)220-6291. If this Board agent is not available, you may contact Deputy Regional Attorney Brian Sweeney whose telephone number is (206)220-6327.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing Form NLRB-4701, Notice of Appearance. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

If you are contacted by someone about representing you in this case, please be assured that no organization or person seeking your business has any "inside knowledge" or favored relationship with the National Labor Relations Board. Their knowledge regarding this proceeding was only obtained through access to information that must be made available to any member of the public under the Freedom of Information Act.

Presentation of Your Evidence: We seek prompt resolutions of labor disputes. Therefore, I urge you or your representative to submit a complete written account of the facts and a statement of your position with respect to the allegations set forth in the charge as soon as possible. If the Board agent later asks for more evidence, I strongly urge you or your representative to cooperate fully by promptly presenting all evidence relevant to the investigation. In this way, the case can be fully investigated more quickly.

Full and complete cooperation includes providing witnesses to give sworn affidavits to a Board agent, and providing all relevant documentary evidence requested by the Board agent. Sending us your written account of the facts and a statement of your position is not enough to be considered full and complete cooperation. A refusal to fully cooperate during the investigation might cause a case to be litigated unnecessarily.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

Prohibition on Recording Affidavit Interviews: It is the policy of the General Counsel to prohibit affiants from recording the interview conducted by Board agents when subscribing Agency affidavits. Such recordings may impede the Agency's ability to safeguard the confidentiality of the affidavit itself, protect the privacy of the affiant and potentially compromise the integrity of the Region's investigation.

Correspondence: All documents submitted to the Region regarding your case MUST be filed through the Agency's website, www.nlr.gov. This includes all formal pleadings, briefs, as well as affidavits, documentary evidence, and position statements. The Agency requests all evidence submitted electronically to be in the form it is normally used and maintained in the course of business (i.e., native format). Where evidence submitted electronically is not in native format, it should be submitted in a manner that retains the essential functionality of the native format (i.e., in a machine-readable and searchable electronic format).

If you have questions about the submission of evidence or expect to deliver a large quantity of electronic records, please promptly contact the Board agent investigating the charge. If you cannot e-file your documents, you must provide a statement explaining why you do not have access to the means for filing electronically or why filing electronically would impose an undue burden.

In addition, this Region will be issuing case-related correspondence and documents, including complaints, compliance specifications, dismissal letters, deferral letters, and withdrawal letters, electronically to the email address you provide. Please ensure that you receive important case-related correspondence, please ensure that the Board Agent assigned to your case has your preferred email address. These steps will ensure that you receive correspondence faster and at a significantly lower cost to the taxpayer. If there is some reason you are unable to receive correspondence via email, please contact the agent assigned to your case to discuss the circumstances that prevent you from using email.

Information about the Agency, the procedures we follow in unfair labor practice cases and our customer service standards is available on our website, www.nlr.gov or from an NLRB office upon your request. NLRB Form 4541 offers information that is helpful to parties involved in an investigation of an unfair labor practice charge.

We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Ronald K. Hooks". The signature is written in a cursive, flowing style.

RONALD K. HOOKS
Regional Director

Enclosure: Copy of Charge



UNITED STATES GOVERNMENT
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May 26, 2021

Brian Mathews
Executive Director Human Resources & Labor Relations
Logan Health d/b/a Kalispell Regional Healthcare
310 Sunnyview Lane
Kalispell, MT 59901-3129

Re: SEIU Healthcare 1199NW (Logan Health
(f/k/a Kalispell Regional Hospital))
Case 19-CB-277688

Dear Mr. Mathews:

The charge that you filed in this case on May 26, 2021 has been docketed as case number 19-CB-277688. This letter tells you how to contact the Board agent who will be investigating the charge, explains your right to be represented, discusses presenting your evidence, and provides a brief explanation of our procedures, including how to submit documents to the NLRB.

Investigator: This charge is being investigated by Field Attorney Sarah K. Burke whose telephone number is (206)220-6291. If this Board agent is not available, you may contact Deputy Regional Attorney Brian Sweeney whose telephone number is (206)220-6327.

Right to Representation: You have the right to be represented by an attorney or other representative in any proceeding before us. If you choose to be represented, your representative must notify us in writing of this fact as soon as possible by completing *Form NLRB-4701, Notice of Appearance*. This form is available on our website, www.nlrb.gov, or from an NLRB office upon your request.

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Presentation of Your Evidence: As the party who filed the charge in this case, it is your responsibility to meet with the Board agent to provide a sworn affidavit, or provide other witnesses to provide sworn affidavits, and to provide relevant documents within your possession. Because we seek to resolve labor disputes promptly, you should be ready to promptly present your affidavit(s) and other evidence. If you have not yet scheduled a date and time for the Board agent to take your affidavit, please contact the Board agent to schedule the affidavit(s). If you fail to cooperate in promptly presenting your evidence, your charge may be dismissed without investigation.

In addition, either you or your representative must complete the enclosed Commerce Questionnaire to enable us to determine whether the NLRB has jurisdiction over this dispute. If you

recently submitted this information in another case, or if you need assistance completing the form, please contact the Board agent.

We will not honor requests to limit our use of position statements or evidence. Specifically, any material you submit may be introduced as evidence at a hearing before an administrative law judge regardless of claims of confidentiality. However, certain evidence produced at a hearing may be protected from public disclosure by demonstrated claims of confidentiality.

Further, the Freedom of Information Act may require that we disclose position statements or evidence in closed cases upon request, unless an exemption applies, such as those protecting confidential financial information or personal privacy interests.

Preservation of all Potential Evidence: Please be mindful of your obligation to preserve all relevant documents and electronically stored information (ESI) in this case, and to take all steps necessary to avoid the inadvertent loss of information in your possession, custody or control. Relevant information includes, but is not limited to, paper documents and all ESI (e.g. SMS text messages, electronic documents, emails, and any data created by proprietary software tools) related to the above-captioned case.

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We can provide assistance for persons with limited English proficiency or disability. Please let us know if you or any of your witnesses would like such assistance.

Very truly yours,

A handwritten signature in black ink that reads "Ronald K. Hooks". The signature is written in a cursive, flowing style.

RONALD K. HOOKS
Regional Director

Enclosure: Commerce Questionnaire